



Austin City Council MINUTES

MARCH 12, 1992 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approved Minutes for Regular Meeting of March 5, 1992, with amendments.

On Councilmember Nofziger's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent.

READING OF CONSENT AGENDA

Items 17-40, 43-49, 52, and any items that may be added by addendum will be read into the record by the City Clerk. Members of the City Council shall state which items they wish to pull for discussion.

Citizens wishing to speak to consent items shall sign up for the Consent Agenda - during the General Citizen Communications. Comments must be limited to a maximum of three (3) minutes for each speaker.

Citizens may speak to only one (1) of the posted Citizen Communications, but may speak to items pulled for discussion and posted public hearings.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. David Elliott, to discuss Austin's bond debt and costly City management.
3. Mrs. Rita Sanchez, to discuss health concerns.
4. Ms. Eloisa Limon, to discuss health concerns.
5. Ms. Rachel Cywinski, to ask for help and update the Council on toxic cleanup, and health concerns.
6. Mr. Henry Ratliff, to discuss dilemmas.

7. Mr. Tim Jones, to present a video presentation of water quality problems pursuant to protective initiative for the Edwards Aquifer.
8. Mr. Nicklas R. Krivoniak, to discuss junkyards in residential neighborhoods.
9. Mr. Alfred Dotson, to discuss crime in Pecan Springs/Springdale Hills.
10. Mr. Stephen Rodi, to discuss quality of life, police activity and public policy issues related to northeast Austin.
11. Mr. Leonard Lyons, to discuss the agenda: a source of information. Was not present.

1:30 P.M. - GENERAL OBLIGATION BOND SALE

12. Authorize the issuance of City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992, calling for redemption prior to maturity certain outstanding obligations of the City, enacting other provisions relating thereto.
13. Authorize the execution of a Paying Agent/Registrar Agreement in relation to the City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series 1992.
14. Authorize the execution of a paying agent/registrar agreement and a letter of representations for issuance of book-entry obligations, with respect to the City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992.
15. Authorize the issuance of City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series 1992, the execution of a purchase contract and Special Escrow Agreement, and approve and authorize distribution of an Official Statement pertaining thereto.
16. Authorize the redemption of certain outstanding bonds of the City of Austin.

Items 12-16 postponed to March 19, 1992.

CITIZEN COMMUNICATIONS: CONSENT AGENDA

Citizens will have a maximum of three (3) minutes to address the consent agenda.

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

17. Approved second/third reading of an amendment to the Austin City Code of 1981 by adding a new Chapter 4-5 entitled "Air Quality" and providing regulations for ozone depleting chemicals. [Fiscal impact for equipment is estimated to be \$33,600, which will be absorbed within existing budget authority in Aviation (\$4,000); Brackenridge (\$10,000); Convention Center (\$4,000) Library (\$4,000); Convention Center (\$4,000); Police (\$2,000); Municipal Court (\$2,000); and Public Works (\$8,600)]. (Recommended by the Environmental Board and Mechanical, Plumbing and Solar Board)

With the deletion of the words "refrigeration equipment" in Sec. 4-5-11, on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

ORDINANCES

18. Amended Chapter 5-3 of the Code of the City of Austin, changing certain provisions of the Hotel Occupancy Tax to conform with new state laws and to clarify the available exemptions and accounting procedures for holding the monies due to the City. (No fiscal impact.) [Recommended by Audit Committee].
19. Amended the Code of the City of Austin by adding a new section 5-1-6 allowing sampling and projection auditing methods for determining any tax or fee. (No fiscal impact.) [Recommended by Audit Committee.]

#18-19 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

20. Declared the necessity and ordering improvements to Oltorf Street, from University Business Park to Montopolis Drive, a Community Facility Contract. (This is the first ordinance of four ordinances required to levy paving assessments.) [No fiscal impact].

On Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Larson abstained. (This was part of the consent agenda.)

21. Amended the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 11-2; Article IV, Speed Limits, for the installation of a 20 mph school zone on Vargas Road adjacent to Allison Elementary School. (Funding in the amount of \$2,000 for flashing equipment included in CIP 829-607-2220 - Public Works.)

22. Approved the compensation package for Municipal Court Judges. (Funding provided by by the 1991-92 Operating Budget of Municipal Court.)

#21-22 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

RESOLUTIONS

23. Approved execution of a construction contract award to J.C. EVANS CONSTRUCTION COMPANY, INC., Austin Texas, for the East Austin (Blackshear area) Water Service Improvements Project, in the amount of \$119,625. (Funding included in CIP 388-227-6743.) Low bid of seven (7). .67% MBE, .96% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.)
24. Approved execution of a contract award to J.C. EVANS CONSTRUCTION CO., INC., Austin, Texas, for water and wastewater relocations on U.S. 183 from Balcones Woods Drive to Loop 360, in the amount of \$2,736,512.50. (Funding in the amount of \$2,435,792.50 included in CIP 388-227-0936; \$32,590 included in CIP 388-227-0781; \$106,960 included in CIP 439-237-0925; \$149,370 included in CIP 439-237-0786; \$11,800 included in CIP 388-227-0636.) Low bid of five (5). .90% MBE, 1.76% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.)
25. Approved execution of a construction contract award to KINSEL INDUSTRIES, INC., Bastrop, Texas, for the Barton View annexed area water and wastewater improvements, Phase I, in the amount of \$413,716.75. (Funding in the amount of \$401,091.75 included in CIP 443-237-0745 (Wastewater Fund); \$12,625 included in CIP 388-227-0776 (Water Fund). Low bid of eight (8). 6.77% MBE, 4.23% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.)
26. Approved execution of a contract with VINCENT LANDSCAPES, Austin, Texas, for a twelve (12) month service agreement for mowing of medians and triangles, in an amount not to exceed \$69,904, with the option to extend for up to two (2) twelve (12) month periods, in an amount not to exceed \$69,904 per extension, for a total contract amount not to exceed \$209,712. (Funding included in the 1991-92 Operating Budget of the Parks and Recreation Department.) Low bid of four (4). The prime did not identify any subcontracting opportunities. (To be reviewed by Parks and Recreation Board on March 9, 1992.) Parks Board reviewed and recommended.
27. Approved execution of a contract with DEALERS ELECTRIC, Austin, Texas, for purchase of electrical components for assembling portable electrical distribution boxes for the Austin Convention Center, in

an amount not to exceed \$96,727.30. (Funding included in the 1991-92 Operating Budget of the Convention Center.) Low bid of six (6). The prime did not identify any subcontracting opportunities.

#23-27 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

28. Approve execution of a twelve (12) month contract with BOISE CASCADE OFFICE PRODUCTS, Austin, Texas, for the purchase of office supplies through a stockless system, in an amount not to exceed \$750,000, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed \$750,000, for a total amount not to exceed \$2,250,000. (Funding included in the 1991-92 departmental operating budgets for office supplies. Extensions will be requested in each respective fiscal year budget. Privatization Project - expected annual savings is \$80,000.) Low bid of two (2). The prime identified one area of subcontracting; there were no known certified M/WBE's capable of performing the scope of work.

Postponed to March 19, 1992

29. Approved the selection of three professional engineering firms: R.J. BRANDES COMPANY, Austin, Texas; RAYMOND CHAN AND ASSOCIATES, Austin, Texas; and GEBHARD ENGINEERS, Austin, Texas, for the development of Erosion Control Master Plans for Little Walnut Creek, Tannehill Branch, Fort Branch, and other creeks, at an estimated cost of \$220,000 for all agreements. (Funding included in the Drainage Utility Operating Budget.) Best proposal of eight (8). M/WBE Subcontractor Participation: R.J. Brandes (10% MBE, 5% WBE); Raymond Chan and Associates is a certified MBE - (10% MBE, 5%); Gebhard Engineers (12% MBE, 5% WBE).

On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

30. Approved the selection of BAKER-AICKLEN & ASSOCIATES, Austin, Texas, for professional engineering services for the planning and design of the Stratford Tract Wastewater System Improvements, in the amount of \$38,900. (Funding included in CIP 448-237-6960.) Best proposal of twelve (12). 10% MBE, 5% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

31. Approved the selection of ESPEY-HUSTON & ASSOCIATES, Austin, Texas, for professional engineering services for the planning and design of the Bee Cave Lift Station Relief Interceptor, in the amount of

\$225,000. (Funding included in CIP 448-237-6961.) Best proposal of twelve (12). 10% MBE, 5% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.)

On Councilmember Epstein's motion, Councilmember Larson's second, 6-1 Vote, Councilmember Nofziger voted No.

32. Approved the selection of ALAN PLUMMER AND ASSOCIATES, INC., Austin, Texas, for professional engineering services for developing technically based local discharge limitations for industrial discharges into the City's wastewater system, in an amount not to exceed \$160,000. (Funding in the amount of \$109,000 included in the 1991-92 Operating Budget of the Water and Wastewater Utility; the balance of \$51,000 will be contingent upon approval of the 1992-93 budget.) Best proposal of seven (7). 10% MBE, 5% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.)
33. Approved Change Order No. 2 to WAGNER CONSTRUCTION CO., San Antonio, Texas, for various utility adjustments and field modifications for the Sixth Street Streetscape Improvements, Phase I, in the amount of \$69,579, for a total contract amount of \$2,431,702. (Funding included in CIP 825-607-2045 - Sixth Street Project). [Reviewed by Sixth Street Subcommittee.]
34. Approved Change Order No. 3 to Pelzel & Associates, Austin, Texas, for replacement of a storm sewer line for the Trinity Street Sidewalk Improvements Project, in the amount of \$43,635, for a total contract amount of \$1,359,540.83. (Funding included in CIP 485-617-4100 - Public Works).
35. Authorized application for and acceptance of a grant in the amount of \$13,442.15 from the Texas State Library (L.S.C.A. Title I Public Library Services for Disadvantaged Populations), for continuation of the Job Information Center at the Riverside Branch Library. (City's match is \$18,163.15 - Funding to be requested in the 1992-93 Operating Budget of the Library Department.)
36. Authorized application for and acceptance of five (5) VISTA Volunteers to coordinate tutoring programs for youth at risk at Carver, Govalle, Oak Springs, Manchaca Road and University Hills Branch Libraries. (No fiscal impact.)
37. Authorized application for \$20,000 in grant funds from the Small Business Administration to replace trees along Congress Avenue. (City's match of \$5,000 will be requested in the 1992-93 budget of Parks and Recreation Department.) [To be reviewed by Parks and Recreation Board on March 9, 1992].

38. Approved the Goals and Objectives for the Bergstrom Airport Master Plan. (No fiscal impact). [Reviewed by Aviation Subcommittee on February 24, 1992 and will be reconsidered on March 11, 1992.]
 39. Set a date for the Airport Referendum to provide for the Municipal Airport at Bergstrom. Date: May 1, 1993. (Reviewed by Aviation Subcommittee on February 24, 1992 and March 11, 1992.)
 40. Set a public hearing to consider fee increases at the City of Austin FM 812 Landfill to pass through costs of increased State fees and to encourage development of alternative disposal methods for vacuum truck wastes. Date and time: March 26, 1992 at 5:00 p.m.) [Recommended by Solid Waste Advisory Commission.]
- #32-40 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

41. C14-91-0071 - CHESTER T. JOHNSON, ET AL, by Pete Dwyer, 1504 Capitol of Texas Hwy South. From SF-6, MF-2, LO, GO & GR to SF-1.

POSTPONED to March 26, 1992.

To be Heard by Planning Commission on March 10, 1992; Recommendation to Follow

42. C14-92-0012 - E. A. HUDSON, by W. B. Howell, 7950-8022 U. S. Highway 290 West. From LO to GR. Planning Commission recommendation, grant GR-CO.

APPROVED PLANNING COMMISSION RECOMMENDATION - FIRST READING

On Councilmember Garcia's motion, Councilmember Epstein's second, 7-0 Vote.

6:00 P.M. - DINNER BREAK

FINAL CITIZEN COMMUNICATIONS

Sign-up will be taken during the Council meeting. No more than six (6) persons shall speak, and each person will be given three (3) minutes to speak. These speakers cannot have spoken during Citizen Communications Consent or Citizen Communications General. They were Eric Anderson, Robert Singleton, Al St. Louis, K.L. Meador, Bill Bunch and Brigid Shea.

ITEMS FROM COUNCIL

43. Approve a Resolution requesting the City Clerk to certify the results of the count of additional voters on the Save Our Springs Initiative Petition on March 12, 1992, or as expeditiously as possible. (Councilmember Michael "Max" Nofziger)

Pulled off agenda.

44. Adopt an Ordinance ordering a special election to be held May 2, 1992 for the purpose of submitting to the qualified voters the Save Our Springs Initiative Ordinance. (Councilmembers Michael "Max" Nofziger and Gus Garcia)

Pulled off agenda.

45. Approved a Resolution requesting the Texas Department of Transportation to designate the pedestrian overpass over Highway 183 near LBJ High School as the Lisa Simone Jones Memorial Overpass. (Mayor Pro Tem Charles Urdy)

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

46. Directed the City Manager to investigate and report on options for providing health care benefits and services to military retirees and their dependents, including, but not limited to, access to City health care options and products provided by Brackenridge Hospital. (Councilmember Louise Epstein and Mayor Pro Tem Charles Urdy)

On Councilmember Epstein's motion, Councilmember Larson's second, 6-0-1 Vote, Councilmember Larson abstained.

47. Approve a Resolution creating and appointing a Taxpayers Task Force. (Councilmembers Bob Larson and Louise Epstein)

Postponed to March 19, 1992.

48. Approved a Resolution accepting the Parks Board recommendation to designate trail repairs, erosion control, and repairs or replacement of pedestrian bridges as the major priorities for improvements to be donated to the Town Lake Hike and Bike Trail. (Councilmember Michael "Max" Nofziger)

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

49. Direct the City Manager to develop City/County consolidation proposals, discuss possible consolidations with Travis County, and provide a report to Council within 90 days. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

Pulled off agenda.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Todd announced that Council would go into Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pursuant to Article 6252-17, Paragraph 2f

50. Discuss land acquisition for Convention Center parking.

Provide Legal Advice - Section 2, Paragraph e

51. Discussion of the Save Our Springs Initiative Ordinance.

RECESS FOR EXECUTIVE SESSION

Council recessed from 3:25 to 3:45 P.M.

ACTION ON THE FOLLOWING

52. Approve a lease of the city block bounded by Sabine, Fourth, Red River and Fifth Street, from Harry Whittington, Lessor, to provide parking for the Austin Convention Center, in the amount of \$42,000 for the first year. (Funding for the payment of rents and operation of this lot are provided in the current year budget for Convention Center operations.)

Postponed to March 19, 1992.

ADJOURN - Council adjourned its meeting at 4:40 P.M.

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